

### DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **METHOD AND APPARATUS FOR PROVIDING A BIOINFORMATICS DATABASE** the specification of which \_\_\_\_ is attached hereto or X was filed on 7/24/98 as Application No. 09/122,167 and was amended on \_\_\_\_\_ (if applicable).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

#### Prior Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date
60/053,842	7/25/97
60/069,198	12/11/97
60/069,436	12/11/97

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Joe Liebeschuetz, Reg. No. 37,505  
William Smith, Reg. No. 30,223

Paul A. Durdik, Reg. No. 37,819  
Vernon A. Norviel, Reg. No. 32,483  
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Send Correspondence to:  Paul A. Durdik TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8 <sup>th</sup> Floor San Francisco, California 94111-3834	Direct Telephone Calls to: (Name, Reg. No., Telephone No.)  Name: Paul A. Durdik Reg. No.: 37,819 Telephone: 650-326-2400
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Full Name of Inventor 1:	Last Name: BALABAN	First Name: DAVID	Middle Name or Initial: J.	
Residence & Citizenship:	City: San Rafael	State/Foreign Country: CA	Country of Citizenship: US	
Post Office Address:	Post Office Address: 37 Bret Harte Road	City: San Rafael	State/Country: CA	Postal Code: 94901
Full Name of Inventor 2:	Last Name: AGGARWAL	First Name: ARUN	Middle Name or Initial:	
Residence & Citizenship:	City: Mountain View	State/Foreign Country: CA	Country of Citizenship: US	
Post Office Address:	Post Office Address: 3374 Tryna Drive	City: Mountain View	State/Country: CA	Postal Code: 94040

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1  <i>David J. Balaban</i> DAVID J. BALABAN	Signature of Inventor 2  <i>Arun K. Aggarwal</i> ARUN AGGARWAL	Signature of Inventor 3  _____
Date 11/2/98	Date 10/16/98	Date

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents Washington, D.C. 20231

PATENT  
Attorney Docket No.: 018547-033810US  
Client Ref. No. 3068.1

on November 3, 2000

By: Paula Paul Hery

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

David J. Balaban et al.

Application No.: 09/122,167

Filed: July 24, 1998

For: METHOD AND APPARATUS FOR  
PROVIDING A BIOINFORMATICS  
DATABASE

Examiner: Mahmood Choobin

Art Unit: 2721

ASSOCIATE POWER OF ATTORNEY

Assistant Commissioner for Patents  
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Sir:

Please recognize:

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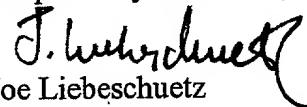
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as associate attorneys with full powers to prosecute the above-identified patent application before the United States Patent and Trademark Office.

09836667-041601

Please continue to send correspondence relative to the application to the undersigned attorney of record at the address listed below.

Respectfully submitted,

  
Joe Liebeschuetz  
Reg. No. 37,505

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1854/0338005  
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UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 11/12/1998

REEL/FRAME: 9575/0227  
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
BALABAN, DAVID J.

DOC DATE: 11/02/1998

ASSIGNOR:  
AGGARWAL, ARUN

DOC DATE: 10/16/1998

ASSIGNEE:  
AFFYMETRIX, INC.  
3380 CENTRAL EXPRESSWAY  
SANTA CLARA, CALIFORNIA 95051

SERIAL NUMBER: 09122167  
PATENT NUMBER:

FILING DATE: 07/24/1998  
ISSUE DATE:

JEEVON JONES, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

ASSIGNMENT OF PATENT APPLICATION

SOLE

WHEREAS, David J. Balaban, of 37 Bret Harte Road, San Rafael, CA 94901, US, Arun Aggarwal, of 3374 Tryna Drive, Mountain View, CA 94040, US, hereinafter referred to as "Assignor," is the inventor of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: METHOD AND APPARATUS FOR  
PROVIDING A BIOINFORMATICS  
DATABASE

Date(s) of execution of Declaration: 10/16/98 and 11/2/98

Filing Date: 7/24/98

Application No.: 09/122,167; and

WHEREAS, Affymetrix, located at 3380 Central Expressway, Santa Clara, CA, 95051, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignor, Assignor has assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on any patent application claiming priority from the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignor had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignor further agrees that Assignor will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

IN TESTIMONY WHEREOF, Assignor has signed his/her names on the dated indicated.

Dated: 11/2/98

David J. Balaban  
David J. Balaban

Dated: 10/16/98

Arun K. Aggarwal  
Arun Aggarwal